

AMENDED IN ASSEMBLY MAY 4, 2011
AMENDED IN ASSEMBLY MARCH 14, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 269

Introduced by Assembly Member Ma

February 7, 2011

An act to amend Section 47610 of, ~~and to add Section 47602.5 to,~~
the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 269, as amended, Ma. Charter schools: pupil health and safety.

(1) The Charter Schools Act of 1992 permits teachers and parents to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. ~~Existing law requires a chartering authority to ensure that each charter school under its authority complies with all reports required of charter schools by law.~~

~~This bill would require the Legislative Analyst to report by January 1, 2013, to the Legislature on the accuracy of data reported by charter schools with respect to violent incidents on campus.~~

~~(2) Existing~~

~~Existing law~~ exempts charter schools from the laws governing school districts except those of the Charter Schools Act, those establishing minimum age for public school attendance, specified building code regulations, and other specified laws. Existing law requires a charter school to comply with its charter. ~~Existing law~~ *and* requires a charter to include the procedures that the school will follow to ensure the health

and safety of pupils and staff, including the requirement that each employee of the school furnish the school with a criminal record summary.

This bill would require a charter school to comply with all laws governing the health and safety of pupils and school employees. To the extent this bill would impose additional duties on charter schools, this bill would impose a state-mandated local program.

(3)

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 47602.5 is added to the Education Code,~~
2 ~~to read:~~

3 ~~47602.5. By January 1, 2013, the Legislative Analyst shall~~
4 ~~report to the Legislature on the accuracy of data reported by charter~~
5 ~~schools with respect to violent incidents on campus.~~

6 ~~SEC. 2.~~

7 ~~SECTION 1.~~ Section 47610 of the Education Code is amended
8 ~~to read:~~

9 47610. A charter school shall comply with this part and all of
10 the provisions set forth in its charter, but is otherwise exempt from
11 the laws governing school districts, except all of the following:

12 (a) All laws establishing minimum age for public school
13 attendance.

14 (b) The California Building Standards Code (Part 2
15 (commencing with Section 101) of Title 24 of the California Code
16 of Regulations), as adopted and enforced by the local building
17 enforcement agency with jurisdiction over the area in which the
18 charter school is located. Charter school facilities shall comply
19 with this subdivision by January 1, 2007.

1 (c) All laws governing the health and safety of pupils and school
2 employees, including, but not limited to, Sections 32225 and
3 35292.5, Article 5 (commencing with Section 32280) of Chapter
4 2.5 of Part 19 of Division 1 of Title 1, ~~Article 10.4 (commencing~~
5 ~~with Section 35294.10) of Chapter 2 of Part 21 of Division 3, and~~
6 *and* Chapter 1 (commencing with Section 32001) of Part 19 of
7 Division 1 of Title 1.

8 (d) Sections 41365 and 47611.

9 ~~SEC. 3.~~

10 *SEC. 2.* If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.